

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TRELLIS QUINN,
Plaintiff,

v.

GABRIELA NASERA, et al.,
Defendants.

Case No.: 2:24-cv-00635-MMD-NJK

ORDER

On March 29, 2024, *pro se* plaintiff Trellis Quinn, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. Docket No. 1-1. Upon review, the Court notes that Plaintiff did not sign the complaint. *See id.* The complaint goes directly from Plaintiff's final claim to exhibits and it does not include the final page of the Court's standard form, which provides a place for Plaintiff to sign and attest that the factual allegations are true, under penalty of perjury. *Id.* at 12-13. "A civil action is commenced by filing a complaint with the court." Fed.R.Civ.P. 3. A plaintiff who is not represented by counsel must personally sign his or her complaint. Fed.R.Civ.P. 11(a).

The Court cannot consider the complaint that Plaintiff submitted because Plaintiff did not sign it. The Court grants Plaintiff a one-time extension to file a signed amended complaint with the Court. Submission of a mere signature page will not be sufficient. Plaintiff is advised that an amended complaint replaces the original complaint, so the amended complaint must be complete in itself. *See Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989). This means that the amended complaint must contain all claims, defendants, and factual allegations that Plaintiff wishes to pursue in this action.

Plaintiff has neither paid the \$405 filing fee for this matter nor filed an application to proceed *in forma pauperis*. *See* Docket No. 1. The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of

December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. *See* 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. *See* 28 U.S.C. § 1915(a)(1)–(2); LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments. *See* 28 U.S.C. § 1915(b).

Accordingly, for the reasons stated above,

IT IS ORDERED that, no later than **June 10, 2024**, Plaintiff must file a signed amended complaint with the Court. If Plaintiff chooses to file an amended complaint, he should use this Court’s approved prisoner civil rights form, and it must be titled “First Amended Complaint.”

IT IS FURTHER ORDERED that, no later than **June 10, 2024**, Plaintiff must either pay the full \$405 filing fee or file a fully complete application to proceed *in forma pauperis* with all three required documents: a completed application with the inmate’s two signatures on page 3; a completed financial certificate that is signed both by the inmate and the prison or jail official; and a copy of the inmate’s trust fund account statement for the previous six-month period.

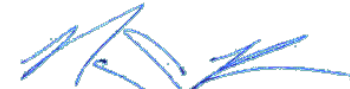
IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, this action will be subject to dismissal without prejudice. A dismissal without prejudice allows Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a complete application to proceed *in forma pauperis* or pay the required filing fee.

The Clerk of the Court is **INSTRUCTED** to send Plaintiff Trellis Quinn the approved form application to proceed *in forma pauperis* for an inmate and instructions for the same, as well as the approved form for filing a § 1983 complaint, instructions for the same, and a copy of the

1 complaint at Docket No. 1-1. The Clerk of the Court shall retain the complaint and exhibits,
2 Docket No. 1-1, but not file them at this time.

3 IT IS SO ORDERED.

4 DATED: April 11, 2024.

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7 NANCY J. KOPPE
8 UNITED STATES MAGISTRATE JUDGE
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